

REMARKS

Claims 1 and 3-61 remain pending in the application.

Indefiniteness of claims 1, 48 and 55 under 2nd paragraph of 35 U.S.C. §112

The Office Action rejected claims 1, 48 and 55 as allegedly being indefinite under 35 USC 112. In particular, the Examiner alleged that the recited term “underline” is unclear.

Claims 1, 48 and 55 are amended herein to remove the “underline” language from the claims. It is respectfully submitted that claims 1, 48 and 55 are now in full conformance with 35 USC 112. It is respectfully requested that the rejection of claims 1, 48 and 55 under 35 USC 112 be withdrawn.

Claims 1, 3-10, 15 and 17-61 over Gleeson in view of Dunlop

In the Office Action, claims 1, 3-10, 15 and 17-61 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over U.S. Patent No. 5,446,736 to Gleeson et al. (“Gleeson”) in view of U.S. Patent No. 6,721,872 to Dunlop et al. (“Dunlop”). The Applicants respectfully traverse the rejection.

Claims 1, 3-10, 15 and 17-61 recite encapsulating an underlying wireless network protocol from at least one of a plurality of networks, the underlying wireless network protocol to include a protocol stack that corresponds substantially to an Open System Interconnection (OSI) model. A message is communicated between a client application and a server application through a protocol gateway with the encapsulated underlying wireless network protocol being maintained independent of the underlying wireless network protocol.

The Examiner acknowledged that “Gleeson fails to teach the limitation further including a protocol gateway adaptively arranged between at least two of said plurality of said networks to encapsulate a fundamental network protocol.” (see Office Action, page 4). But, the Examiner relies on Dunlop to allegedly make up for the deficiencies in Gleeson to arrive at the claimed features. In particular, the Examiner stresses Dunlop at “col. 3, lines 14-34, col. 4, lines 5-15” to allegedly disclose the acknowledged deficiency in Gleeson. The Applicants respectfully disagree.

Dunlop at page 3, lines 14-34 and col. 4, lines 5-15 teaches:

FIG. 1 is a representation of a reconfigurable network interface architecture 10 according to the invention. Basically, the architecture 10 combines a programmable hardware (HW) device in the form of, for example, a programmable logic device (PLD) such as a field programmable gate array (FPGA) 12, and a programmable software (SW) device in the form of a processor 14; to support multiple network operating protocols between a chosen network 16 and a host device 18. The host device may be any kind of host including but not limited to a personal laptop, desktop or hand-held computer, a network appliance, file server, printer, vending machine, cell phone or the like. An example of currently popular hand-held computers in which the architecture 10 can be embodied are so-called personal digital assistants (PDAs) such as "Palm Pilot" devices. The host device may also be a server or other node at a central site or base station of a given network. A typical device for the FPGA 12 may be Xilinx type "4044 XLA". A typical device for the processor 14 may be Strong ARM type "SA1100".

Thus, using the architecture 10 of FIG. 1, the NIC 20 is capable of implementing digital parts of layer 1 of the known seven-layer OSI network model, as well as layer 2 and higher layers of the protocol stack. The reconfiguration module 26 of the processor is arranged to respond to data or other information identifying a desired network protocol implementation for the NIC 20, by signaling the configuration memory 24 and the program memory 33 to load corresponding program data into the FPGA 12 and the processor 14.

Dunlop at page 3, lines 14-34 and col. 4, lines 5-15 teaches "a reconfigurable network interface architecture 10 ... to support multiple network operating protocols between a chosen network 16 and a host device 18." "[U]sing the architecture 10 of FIG. 1, the NIC 20 is capable of implementing digital parts of layer 1 of the known seven-layer OSI network model". Thus, Dunlop at best teaches of a reconfigurable network interface architecture to support multiple network operating protocols. Dunlop fails to disclose, teach or suggest use of encapsulation of a type of protocol, much less encapsulating an **underlying wireless network protocol** from at least one of a plurality of networks, the underlying wireless network protocol including a protocol stack that corresponds substantially to an Open System Interconnection (OSI) model, as recited by claims 1, 3-10, 15 and 17-61.

Dunlop further fails to disclose, teach or suggest communication of a message with the encapsulated underlying wireless network protocol independent of the underlying wireless network protocol. Dunlop also fails

to disclose, teach or suggest a message that is communicated between a client application and a server application through a protocol gateway with the encapsulated underlying wireless network protocol being maintained **independent of the underlying wireless network protocol**, as recited by claims 1, 3-10, 15 and 17-61.

Gleeson and Dunlop, either alone or in combination, fail to disclose, teach or suggest encapsulating an **underlying wireless network protocol** from at least one of a plurality of networks, the underlying wireless network protocol including a protocol stack that corresponds substantially to an Open System Interconnection (OSI) model.

Accordingly, for at least all the above reasons, claims 1, 3-10, 15 and 17-61 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Claims 11-14 and 16 over Gleeson in view of Dunlop and Meyer

In the Office Action, claims 11-14 and 16 were rejected under 35 U.S.C. §103(a) as allegedly being obvious over Gleeson in view of Dunlop, and further in view of U.S. Patent No. 6,778,099 to Meyer et al. (“Meyer”). The Applicants respectfully traverse the rejection.

Claims 11-14 and 16 recite a system for encapsulating an **underlying wireless network protocol** from at least one of a plurality of networks, the underlying wireless network protocol including a protocol stack that corresponds substantially to an Open System Interconnection (OSI) model. A message is communicated between a client application and a server application through a protocol gateway with the encapsulated underlying wireless network protocol being maintained **independent of the underlying wireless network protocol**.

As discussed above, Gleeson and Dunlop, either alone or in combination, fail to disclose, teach or suggest encapsulating an **underlying wireless network protocol** from at least one of a plurality of networks, the underlying wireless network protocol including a protocol stack that corresponds substantially to an Open System Interconnection (OSI) model.

The Examiner acknowledges that “Gleeson and Dunlop fail to teach the limitation further including wherein said data link layer and said physical layer are together adapted to comply with a RIM protocol.” (see Office Action, page 14) The Examiner relies on Meyer to allegedly make up for the deficiencies in Gleeson and Dunlop to arrive at the claimed features. In particular, the Examiner alleges that Meyer “teaches automatic equipment and systems for remote reading of utility meters via a wireless area network communications module (see Abstract). Meyer teaches the use of a RIM protocol (col. 6, lines 17-20).” (see Office Action, page 15)

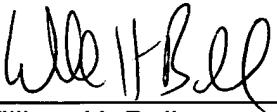
Meyer appears to disclose a communications module that permits remote meter reading of a utility meter (Abstract). However, a thorough reading of Meyer fails to teach use of encapsulation, much less encapsulation of a wireless network protocol. Gleeson, Dunlop and Meyer, either alone or in combination, fail to disclose, teach or suggest encapsulating an **underlying wireless network protocol** from at least one of a plurality of networks, the underlying wireless network protocol including a protocol stack that corresponds substantially to an Open System Interconnection (OSI) model, as recited by claims 11-14 and 16.

Accordingly, for at least all the above reasons, claims 11-14 and 16 are patentable over the prior art of record. It is therefore respectfully requested that the rejection be withdrawn.

Conclusion

All objections and rejections having been addressed, it is respectfully submitted that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited.

Respectfully submitted,



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